#4
Karin Ross

PERSONAL CARE
PRODUCTS COUNCIL

STATEMENT
OF THE
PERSONAL CARE PRODUCTS COUNCIL

ON: HEARING ON HOUSE BILL 4345

TO: MICHIGAN STATE LEGISLATURE
HOUSE COMMITTEE ON NATURAL RESOURCES

DATE: OCTOBER 6, 2015

BEFORE THE COMMITTEE ON NATURAL RESOURCES
OF THE
MICHIGAN STATE LEGISLATURE

Statement of
Karin Ross
Director, Government Affairs
Personal Care Products Council

October 6, 2015

Good morning, my name is Karin Ross and I am from the Personal Care Products Council. The Personal Care Products Council is the leading national trade association representing the cosmetic and personal care products industry. The Council's over 600 member companies distribute the vast majority of products marketed in the US. As the makers of a diverse range of products that consumers rely on daily, from sunscreen, shampoo, toothpaste to moisturizer and lipstick, personal care product companies are global leaders committed to safety, quality and innovation.

I am pleased to be here to support House Bill 4345 which would ban the manufacture and sale of personal care products that contain microbeads.

Microbeads are used in some personal care cleansing products because of their safe and effective exfoliating properties. Microbeads have an excellent health and safety profile, as they present no adverse events such as allergic reactions and are gentle on skin, especially for consumers with acne or sensitive skin conditions.

Ahead of any legislative proposals, Council members voluntarily committed to discontinue formulating with microbeads in favor of other viable alternatives. Our members elected to move ahead with product reformulation ahead of any peer reviewed science.

Last year, a wide range of environmental, governmental and business stakeholders came together in Illinois to negotiate phase out legislation of plastic microbeads. All stakeholders supported the bill which passed both houses unanimously and was signed into law in June. In August, the Illinois law was accepted by the Council of State Governments Committee on Suggested State Legislation (SSL) into their annual Suggested State Legislation volume. Language consistent with the Illinois model has become the basis for new laws in seven additional states: Connecticut, Colorado, Indiana, New Jersey, Maine, Maryland and Wisconsin.

The legislation before you today is a compromise among stakeholders, has a broad base of industry support and provides an excellent opportunity for you to take action consistent with other states and on a timely basis. The legislation levels the playing field for both domestic and international manufacturer. In summary, the bill:

- Bans manufacturing of products with plastic microbeads
- Bans retailers from purchasing products with microbeads
- The unique definitions are intended to capture 3 distinct types of products
  - Cosmetics

- Soaps (body washes)
- OTC drugs (acne products)

The timeframe ensures manufacturers of all sizes have adequate time to reformulate with alternative ingredients that are safe for consumers, the environment and meet all requirements of the Federal Food, Drug and Cosmetic Act. The development of a new cosmetic product involves numerous scientific disciplines and multiple areas of expertise. It is not as simple as replacing one ingredient for another. Reformulation timelines will vary based on company and size, sourcing of new ingredient and retrofitting manufacturing sites.

In summary, this is an issue that our members brought to our attention with their own environmental stewardship programs and public action. Just as our companies lead in the areas of health and safety and disclosure (e.g., manufacturers provide a listing of ingredients on product labels), we look to be leaders in overall product stewardship and wish to support efforts to seek consensus solutions.

Thank you.

THE ROAD TO REFORMULATING PERSONAL CARE PRODUCTS

COSMETICS INFO .ORG

Why does it take so long to reformulate a personal care product? A lot of questions need to be answered by a lot of experts before an updated product can go to market.

Start

#1 Raw Material Research & Development
12-18 Months

- Is there an alternative ingredient which would provide the same benefits and is safe for use by people?
- Is the new ingredient compatible with other ingredients in the product or could it cause stinging, burning, itching?
- Has anyone already patented the ingredient?
- Does it cause the formula to change color?
- Can a supplier provide the ingredient in the qualities and quantity required?

BIOCHEMISTS
CHEMISTS
TOXICOLOGISTS
PRODUCT DEVELOPERS
PATENT & TRADEMARK ATTORNEYS

#2 Product Testing and Qualification
6-12 Months

- Can the reformulated product be preserved and is it stable to temperature, light, etc. during storage, transportation and use?
- Does the product have the same smell and consistency as the original?
- Is a new package required to keep the product stable?
- Can the new formula be made in the same factory under Good Manufacturing Practices? Do employees need to be trained on handling the new raw material?
- Is there sufficient safety data available on the new ingredient?

PRODUCT DEVELOPERS
CHEMICAL ENGINEERS
PACKAGE ENGINEERS
CONSUMER SCIENTISTS
CLINICAL SCIENTISTS
ENVIRONMENTAL SCIENTISTS
ANALYTICAL SCIENTISTS
QUALITY ASSURANCE
MICROBIOLOGISTS
PROCESS ENGINEERS

#3 Safety & Regulatory Requirements
6-12 Months

- Has Safety and claims been adequately demonstrated on the reformulated finished product?
- Are special studies required by a doctor? Are consumer studies needed?
- Is any specific safety/regulatory labeling needed on the product?

TOXICOLOGISTS
CONSUMER SCIENTISTS
CLINICAL SCIENTISTS
REGULATORY EXPERT
STATISTICIANS

#4 Manufacturing & Marketing
6-12 Months

- Are new graphics required for the label and when can they be delivered by the printer?
- How soon can the reformulated product be manufactured and distributed and how will current products be phased out?
- How much product inventory is required at retailers?

GRAPHICS DESIGN
LOGISTICS
SUPPLY CHAIN
TRANSPORTATION
IMPORT/EXPORT
MARKETING & SALES

#5 Post-Market Surveillance
Continual Evaluation

- Are any specific consumer/retailer communications required about the product update?
- How will we monitor the safety and effectiveness of the new formulation with consumers?

MEDICAL AFFAIRS EXPERT
CUSTOMER RELATIONS